



Meeting of Council

Monday 14 December 2020

Members of Cherwell District Council,

A meeting of Council will be held as a virtual meeting on Monday 14 December 2020 at 6.30 pm, and you are hereby summoned to attend.

**Yvonne Rees
Chief Executive**

Friday 4 December 2020

AGENDA

1 Apologies for Absence

2 Declarations of Interest

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.

3 Communications (Pages 9 - 10)

To receive communications from the Chairman and/or the Leader of the Council.

4 Thames Valley Police - Address by Deputy Police and Crime Commissioner and Chief Constable

The Deputy Police and Crime Commissioner for Thames Valley, Matthew Barber, and the Chief Constable of Thames Valley Police, John Campbell, will be invited to address Council.

Members will then have an opportunity to ask questions of the Deputy Police and Crime Commissioner, the Chief Constable and Superintendent Emma Garside.

5 **Petitions and Requests to Address the Meeting**

The Chairman to report on any requests to submit petitions or to address the meeting.

Addresses may be presented by:

- A Local Government elector for the area,
- A person who is wholly or mainly resident in the area,
- A Council Taxpayer or National Non-Domestic Ratepayer for the area

Addresses must be on an item on the Agenda before the meeting and not exceed 5 minutes. No person may address more than one meeting on any particular issue.

Requests to address the meeting (including the reason for the address) should be submitted to democracy@cherwell-dc.gov.uk The deadline for requests to address this meeting is noon on Friday 11 December 2020. The deadline for requests to present a petition has passed.

Full details of public participation at meetings is available in the Constitution.

6 **Urgent Business**

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

7 **Minutes of Council** (Pages 11 - 16)

To confirm as a correct record the Minutes of Council held on 19 October 2020.

8 **Minutes**

- a) Minutes of Executive, Lead Member Decisions and Executive Decisions not included in the 28 day notice

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Lead Member Decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council held on 19 October 2020, no key decisions have been taken by the Executive which were not included in the 28 day notice.

- b) Minutes of Committees

The Leader of the Council to formally propose that the minutes of committees as set out in the Minute Book (circulated separately) be received.

9 **Questions** (Pages 17 - 18)

- a) Written Questions

1 written question has been submitted with advance notice in accordance with the Constitution. This is are attached to the agenda.

Question from:	Question topic:
Councillor Ian Middleton	Castle Quay Shopping Centre

A written response to the question will be published on the working day before the meeting.

The Member who submitted the written question may ask a supplementary question provided it is relevant to the reply and does not introduce any new matter. The Member to whom the question was addressed may reply to such supplementary question or undertake to reply in writing.

b) Questions to the Leader of the Council

The Chairman to invite questions to the Leader of the Council (including any matters arising from the minutes).

Following a response to their question being provided Members will be entitled to a follow up or supplementary question.

** In line with the virtual meeting procedure rules, any Member wishing to ask a question of the Leader (including on the minutes of Executive) must notify democracy@cherwell-dc.gov.uk by noon on the day of the meeting. It is not required for the topic to be notified. No questions without notice will be permitted **

c) Questions to Committee Chairmen on the Minutes

The Chairman to invite questions to Chairmen of Committees on any matter arising from the minutes of their committee (if any).

** In line with the virtual meeting procedure rules, any Member wishing to ask a question of a Chairman of a Committee on any matter arising from the minutes of their committee must notify democracy@cherwell-dc.gov.uk by noon on the day of the meeting. It is not required for the topic to be notified. No questions without notice will be permitted **

10 Motions (Pages 19 - 22)

To debate the following motions which have been submitted with advance notice, in accordance with the Constitution (to be debated in the order submitted).

Topic	Proposer	Seconder
Climate and Ecological Emergency (CEE) Bill	Councillor Ian Middleton	TBC
Hunting	Councillor Ian Middleton	TBC

Improving Coronavirus testing and tracing	Councillor Katherine Tyson	Councillor Ian Middleton
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Please note that the deadline to submit motions has passed. The deadline for Members to submit amendments to motions is noon on Thursday 10 December 2020. No amendments will be permitted after this deadline.

Any amendments submitted will be published as a supplement to the agenda on the afternoon of Friday 11 December 2020. Amendments for motions will be dealt with in the order submitted.

Council Business Reports

11 Council Tax Reduction Scheme and Council Tax Discounts 2021-2022 (Pages 23 - 52)

Report of Director of Finance

Purpose of report

To seek approval for a Council Tax Reduction Scheme for the year 2021-2022 on the recommendation of Budget Planning Committee and Executive.

To provide members with an update on Council Tax discounts and to seek approval for the Council Tax discounts for 2021-2022.

Recommendations

The meeting is recommended:

- 1.1 To approve a Council Tax Reduction Scheme (CTRS) for the year 1 April 2021 to 31 March 2022 as set out in the report and to implement the scheme with effect from 1 April 2021.
- 1.2 To grant delegated authority to the Section 151 Officer to make amendments to the Council Tax Regulations up to and including 31 January 2021 for pensioners in line with uprating announced by MHCLG and to amend the Working Age Regulations in line with the new income banded scheme and the uprating announced by MHCLG.
- 1.3 To review the proposed level of Council Tax discounts and premiums for 2021-2022 and to approve the following:
 - Retain the discount for second homes at zero.
 - Retain the discount for empty homes (unoccupied and substantially unfurnished) at 25% for 6 months and thereafter at zero.
 - Retain the discount for empty homes undergoing major repair at 25% for 12 months and thereafter at zero.
 - Retain the empty homes premium of an additional 100% for properties that have remained empty for more than 2 years.

12 Constitution Review (Pages 53 - 64)

Report of Corporate Director – Commercial Development, Assets and Investment & (Interim) Monitoring Officer

Purpose of report

This report presents to Council the recommendations of the Overview and Scrutiny Committee for changes to the Constitution and for procedures for its annual review.

Recommendations

The meeting is recommended to agree the following proposals from the Overview and Scrutiny Committee:

Rules of debate:

- 1.1 to make no changes to the current process as regards the order of speakers in a debate but to clarify that the seconder can speak at any point if they have reserved their right and that this does not mean they must be the penultimate speaker;
- 1.2 to make no change to the existing rule that once the proposer of a motion or amendments begins summing up, no further speakers will be heard

Length of speeches (including all committees):

- 1.3 to reduce the length of speeches for proposers to and proposers of amendments to five minutes (from current 10 minute)
- 1.4 to reduce the length of speeches for seconder, and seconder of amendments and all other speakers to three minutes (from current 5 minutes);

Deadlines for submitting amendments to motions:

- 1.5 to make no changes to the existing deadlines (5pm, two working days before the meeting)
- 1.6 to maintain the current word limit for amended motions as 250 words

Process for dealing with motions with budgetary implications:

- 1.7 to encourage members to submit motions early and discuss with officers to enable a review in the light of budgetary implications, with the introduction of a threshold of “£10,000 or more” to inform what “significant” means in terms of the current budget or capital expenditure
- 1.8 to allow amendments to motions deferred for budgetary reasons to be amended when resubmitted to Council

Motions without notice/procedural motions:

- 1.9 to make no changes to the current arrangement that a procedural motion, once proposed and seconded, requires only a simple majority to succeed

Recorded vote:

- 1.10 to make no changes to the current arrangement that a request for a recorded vote needs only a proposer and seconder to succeed

Public addresses (not Planning Committee):

- 1.11 to make no changes to current arrangements for
 - i) public speakers to register by noon on the working day before the meeting
 - ii) five minutes per public speaker

- iii) no time limit on the number of public speakers or the time allowed for the public address item

Order of business/finish time for Full Council:

- 1.12 to change the order of business for Full Council so that motions are taken after questions and reports (noting that the Constitution allows the Chairman to amend the order of business in any case in any given instance)
- 1.13 to introduce a finish time of 11 pm for Full Council meetings with the provisos that the meeting would not stop mid-way through an item; the Chairman of the Council has discretion to continue the meeting to conclude business, if, in the opinion of the Chairman, this would be appropriate; and that any motions not considered would be carried forward to be considered at the next scheduled Full Council meeting.

Planning Committee:

- 1.14 to allow remote tools (drones) in facilitating site visits but to be clear that this does not replace the option for physical site visits and any such footage and usage should be approved by Planning officers to ensure impartiality
- 1.15 to retain current arrangements whereby
 - i) there is no separate slot for councillor questions of clarification to the officer after a presentation of a planning application
 - ii) County councillors are allowed to speak as members of the public (i.e. no separate right to speak)
- 1.16 to introduce a ten-minute time limit for non-committee ward members in addressing the Committee

Terminology and glossary:

- 1.17 to introduce a glossary to the Constitution to bring clarity to members of the public, officers and councillors
- 1.18 to achieve consistency within the Constitution by using the following words:
 - i) Executive (not Cabinet)
 - ii) Chairman of a meeting (with the proviso that a person chairing a committee may call themselves by whichever term e.g. Chair)
 - iii) Resident (rather than citizen)
- 1.19 to continue to use the following terms but provide contextual clarity (and explanation in the glossary) for the use of each:
 - i) Councillor and member
 - ii) Chief Executive and Head of Paid Service
 - iii) Chief Finance Officer and S151 Officer

Annual Review of the Constitution:

- 1.20 to introduce an annual review of the Constitution whereby
 - i) At its October and December meeting, the Overview & Scrutiny Committee will consider and make recommendations to Full Council for agreement in December, (with the potential for the Committee to convene a Constitution Review Working Group to offer advice if appropriate)
 - ii) Such a review to include a notice of any changes made in-year under officer delegations to reflect legislation and transfers of functions
 - iii) Any significant changes would be submitted to Full Council as necessary for consideration

Council is further recommended:

- 1.21 to note that the Monitoring Officer will amend the Constitution to reflect the decisions of Council.
- 1.22 to note the areas being reviewed by the Monitoring Officer under delegated authority (as set out in paragraph 3.3).

For information

Members are advised that written questions and motions for the next Council meeting on Monday 22 February 2021 must be submitted to the Director of Law and Governance, democracy@cherwell-dc.gov.uk, by 5pm on Wednesday 10 February 2021.

Public participation: The deadline for requests to present a petition to Council is Monday 8 February 2021.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or 01295 221589 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221589